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SENT VIA ELECTRONIC MAIL

July 18, 2005

Peter C. Marinello, Esquire
National Advertising Division
70 West 36th Street
New York, NY 10018



RE: Compliance/Sea Vegg

Dear Mr. Marinello,

We have received your letter dated July 5, 2005 and greatly appreciate your extension to respond. Since reviewing ERSP's findings and although we disagree with many of ERSP's conclusions we have edited the advertisement in question in an attempt to comply with ERSP's findings.

As you are aware we immediately removed the statements in question from our website such as "incredibly, the destruction of these tumors was observed to take place without affecting normal cells" and [Kelp] "Used to assist in weight loss", despite our belief that these are true and accurate statements.

Over the past several weeks we carefully considered ERSP's recommendations and made significant changes to the advertisement in question in an effort to comply with ERSP. ITV also made additional voluntary edits. The advertisement has been edited in the following manner (*please note that we have added several disclaimers which are clearly and prominently displayed throughout the advertisement and appear on multiple occasions throughout the advertisement*):

1) The opening and closing of the show each have an additional disclaimer for an entire frame which is in large bold face and reads:

"Scientific research referenced in this program is limited to seaweed and its naturally occurring ingredients. Results with Sea Vegg™ will vary".

2) The opening statement has changed from:

"Hi. Thanks for watching. My name is Donald Barrett and welcome back to a very controversial edition of ITV. This half an hour again we're going to be talking about health. If you're out there and you suffer from **cancer**, arthritis, diabetes, fibromyalgia. Really, any chronic degenerative disease or if you don't want to get a chronic degenerative disease, this is a show you're not going to want to miss. On our show today we have Scott Kennedy who's a firm believer that most chronic degenerative diseases can be

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prevented and **reversed** from nutrients that come from the ocean. We have a very controversial show so stay with us. Scott Kennedy, welcome to the show.”

to: My name is Donald Barrett and welcome back to a very controversial edition of ITV. If you're out there and you're suffering from heart disease, diabetes, fibromyalgia, arthritis, osteoarthritis, this is a show you're not going to want to miss. If you suffer from any of these diseases, you have to understand that in this country, despite the billions of dollars that we're spending on research and drugs, we're not any closer to a cure. My next guest, Scott Kennedy, is a believer in nutrients that come from the ocean. We have a very controversial show, so stay with us. Scott Kennedy, welcome to the show.

- 3) We removed the word “treatment” from Scott Kennedy’s second remark.
- 4) We removed “and let their body regenerate”.
- 5) We added an FDA disclaimer which appears during the statement “seaweed can help people get stronger”.
- 6) We added the disclaimer “**Results will vary**” when Scott states: “I haven’t had a cold, flu, or fever since 1992”.
- 7) We added an FDA disclaimer next to “you feel stamina”.
- 8) We removed “helped my mothers MS”.
- 9) We removed “don’t worry about OD’ing”.
- 10) We removed the statement from Scott Kennedy “Absolutely not true” when Donald Barrett poses the question. “According to the FDA the only things that prevents disease is a drug”
- 11) We removed the reference to “2000 studies”.
- 12) We changed the weight loss discussion from: When people take Sea Veg every day, they will normalize their weight. They will begin to normalize their thyroid. People that are too underweight will gain weight and women that are overweight will begin to lose some pounds and inches right away.

to: “: I know the answer to that question. I’m going to answer fast but it’s not going to be a short answer. It’s going to be the best answer, though, okay. When I read on diets in the eighties how they don’t work because it changes metabolism so radically, okay. But when it comes to weight loss, okay, the thyroid regulates metabolism. Metabolism is necessary. The balancing of metabolism to balance out or keep normal weight so it will begin to normalize your weight. Normalize your cravings. And then, hopefully, you’ll begin craving, and I think this will happen, you’ll begin craving your Sea Vegg every day. And if that happens, you’ll know it’s working on a very, deep biological level as it

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should.” While adding the disclaimer “**Results will vary. Always consult a doctor before beginning any nutritional program.**”

13) With respect to each and every establishment claim and per ERSP’s recommendations we added the disclaimer: “**Scientific research referenced in this program is limited to seaweed and its naturally occurring ingredients.**”

14) We modified: “Yeah. Well, let me just say, I’ve interviewed the FDA on my radio show called the Nature of Health. I’ve interviewed the National Cancer Institute, okay. They don’t want to have that discussion so if they want to do the studies, they can, but they’re not in that business. I’m in that business. And they’re not going to stop me because their goal is the same as mine. The public health. In other words, if they try to stop the effort of me getting seaweed to Americans with what I’ve already done in twenty years and all the science I have. I’ve already been prepared, girded for this submission a long time ago. They don’t want me in court because if we get to testify, if we get to talk about what’s really going on, then the manhole comes off the sewer. And that’s what’s going to happen.

to: Yeah. Well, let me just say, I’ve interviewed the FDA on my radio show called the Nature of Health. I’ve interviewed the National Cancer Institute, okay. They don’t want to have that discussion. **Now, the government’s not going to take your cell and put it on a witness stand and say, hey, you said you could cure yourself. Because they already know that. That’s Biology 101. So we don’t say seaweed cures or heals anything. We say it assists the body in its own biological processes, okay.**

15) We removed “you couldn’t believe that one type of supplement could do all these things”.

Upon completion of the editing process, ITV has begun to send the edited advertisement to both major cable and broadcast media outlets for airing.

The process of disseminating the new edited advertisement to media outlets is ongoing and ITV intends to replace the advertisement in question with the new edited version or a substantially similar edited version in an effort to comply with ERSP within the next few weeks. We will also forward this new edited version for your records.

ITV reaffirms its position and believes it has a reasonable basis to make any alleged claims in the advertisement in question and but has enjoyed working with ERSP. If you have any further questions please feel free to give me a call at 978-299-2553.

Sincerely,

Michael Sciucco, Esq.